

EXHIBIT 18



GOVERNMENT OF PUERTO RICO
**Puerto Rico Fiscal Agency and Financial
Advisory Authority**

August 19, 2020

VIA ELECTRONIC MAIL

Mrs. Natalie Jaresko
Executive Director
The Financial Oversight and
Management Board for Puerto Rico
P.O. Box 192018
San Juan, PR 00919-2018

Re: Compliance Certifications Act 80, 81, 82-2020 (collectively the “Retirement Acts”)

Dear Mrs. Jaresko:

This responds to your August 18, 2020 letter regarding the Section 204 Compliance Certifications for the Retirement Acts. Today, in compliance with Section 204(a) of PROMESA, the Government of Puerto Rico, (the “Government”) has submitted to the Oversight Board the corresponding Section 204 Compliance Certifications, with supporting documents, for each of the Retirement Acts. I hereby inform you that, for the moment, the Government will not accept applications from public employees under the Retirement Acts. As always, the Government is available to discuss any doubts or questions the Oversight Board may have concerning the implementation of the retirement acts or its corresponding compliance certifications.

As you know, it is emphatically the public policy of the Government to comply with Section 204 of PROMESA. The progress in submitting Section 204 Compliance Certifications has been such that the Oversight Board was unable to prevail at the summary judgment stage during the Act-29 litigation, where it incorrectly argued that the Government has a policy of non-compliance with Section 204 of PROMESA. As has been the case with several other laws, and recognizing the statutory language of PROMESA, the Government requested an extension to submit Section 204 Compliance Certifications for the Retirement Acts in order to conclude the required analysis. As discussed above, today the Government has submitted the corresponding certifications for the Retirement Acts.

However, in your August 18, 2020 letter, you state that “under the circumstances”, the Oversight Board has *already* determined that the Retirement Acts impair or defeat the purposes of PROMESA, and as such, has preemptively enjoined the implementation of these acts. This is a troubling determination by the Oversight Board, since the process established in Section 204(a) of PROMESA has not concluded. It would appear again that

the Oversight Board has violated PROMESA by not even analyzing a Section 204 Compliance Certificate submitted by the Government, *prior* to determining whether or not duly enacted laws by the Government of Puerto Rico are significantly inconsistent with the fiscal plan. It is a concerning turn of events when the Oversight Board considers the Section 204 process to be superfluous and disregards the statutory language of PROMESA. Again, nothing in PROMESA permits the Oversight Board to unilaterally enjoin the implementation of duly enacted laws without even analyzing the corresponding Section 204 Compliance certificates.

As always, we look forward to working with the Oversight Board to reach consensus where possible for the benefit of the people of Puerto Rico as it should be in this case.

Very truly yours,



Omar J. Marrero Diaz
Executive Director